

determined that he has met the minimum level for the previous grade; providing that the provisions of this Act shall not be solely responsible for the retention of a student more than once in certain grades; providing that certain students are exempt from the provisions of this Act; requiring the State Board of Education and the local school boards to create certain guidelines; and relating generally to minimum reading levels for students in primary and secondary schools.

BY adding to

Article 77 - Public Education  
Section 98D  
Annotated Code of Maryland  
(1975 Replacement Volume and 1975 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That new Section 98D be and it is hereby added to Article 77 - Public Education, of the Annotated Code of Maryland (1975 Replacement Volume and 1975 Supplement) to read as follows:

Article 77 - Public Education

98D.

(A) THE STATE BOARD OF EDUCATION SHALL PRESCRIBE FOR EACH GRADE TWO THROUGH ~~[[ 12 ]]~~ TWELVE A MINIMUM LEVEL OF READING ABILITY WHICH SHALL PROGRESSIVELY RISE WITH EACH SUCCEEDING GRADE. IF A LOCAL SCHOOL BOARD, BASED UPON LOCAL ASSESSMENT OF STUDENT PROGRESS AND IN CONJUNCTION WITH THE MARYLAND ACCOUNTABILITY ASSESSMENT PROGRAM, DETERMINES THAT A STUDENT, IN GRADES TWO THROUGH SEVEN, HAS NOT MET THE MINIMUM READING LEVEL AS PRESCRIBED BY THE STATE BOARD OF EDUCATION FOR THE PREVIOUS GRADE, THE STUDENT SHALL BE EITHER RETAINED IN THE CURRENT GRADE OR ENROLLED IN AN APPROPRIATE READING ASSISTANCE PROGRAM. ~~[[FURTHER,]]~~ THESE PROVISIONS MAY NOT BE RESPONSIBLE SOLELY FOR WITHHOLDING GRADE ADVANCEMENT MORE THAN ONCE IN GRADES TWO THROUGH SEVEN . ~~[[THOSE PUPILS]]~~ PUPILS WHO ARE ENROLLED IN SPECIAL READING ASSISTANCE PROGRAMS , OR WHO ARE PERFORMING UP TO THEIR READING CAPACITY AS DETERMINED BY GUIDELINES ADOPTED BY LOCAL SCHOOL BOARDS IN ACCORDANCE WITH STATE BY-LAWS, OR WHO HAVE A PHYSICAL OR MENTAL HANDICAP WHICH AFFECTS ~~[[THE PUPIL'S]]~~ HIS OR HER ABILITY TO READ, ARE EXEMPT.

(B) THE STATE BOARD OF EDUCATION SHALL PROMULGATE BYLAWS TO MAKE EFFECTIVE THIS PROGRAM BY JULY 1, 1977.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1976.